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RICHMOND, VA., WEDNESDAY, OCTOBER 20, 1909.

THE WEATHER TO-DAY: FAIR.

PRICE TWO CENTS.

## WOMAN CALLED TO STAND BY CORONER

Torrence Inquest Halts  
While Motive Is Sought  
for Murder.

WITNESSES SAY  
NO BLOW PASSED

Victim Declares in Ante-Mortem  
Statement That He Resented  
Conway's Attention to Mrs.  
Torrence—Widow and  
Mrs. Gentry Must Tell  
What They Know.

STATEMENTS by witnesses heard yesterday at the coroner's inquest into the circumstances surrounding the shooting and death of Robert L. Torrence were to the effect that no blows were passed between the men prior to the time James Conway pulled his pistol and fired. Walter L. Tyndall swore he was within five feet of the men at the time, and that he heard no conversation. His testimony is substantiated by the testimony of five witnesses. The only sensation was in the introduction by Major Werner of the ante-mortem statement taken by himself, and written by Police Officer Tolier, "Squire McCarthy was present, and Captain McMahon of the detective force, was also at the bedside during the last day. Torrence's statement was taken three hours before he died."

In the outset of his last legal statement, Torrence said: "I, Robert E. Torrence, realizing that I am about to die, do make this my last and dying statement."

"Who shot you?" was the first question asked, and to this the reply was: "Jim Conway."

"When?"

"Saturday afternoon between 4 and 5 o'clock, on Broad Street, between Seventh and Eighth Streets."

Torrence's declaration was that two years ago he had trouble with Conway, and that he had accused Conway and Hugh Fairbank of being on too intimate terms with his wife and with Mrs. Andrew Gentry, and that they had been told that unless it ceased there would be trouble.

"I told several weeks later that they had started it up again, and on October 12 I went to see Fairbank," said Torrence, "and told him that if I found out what I had heard to be true I would kill him. One week later I went to Fairbank and asked where my wife had gone with him. He called me a liar, and I hit him."

"Torrence had no weapon."

"I then went to Conway and called him out of his saloon. I asked him the question I had asked Fairbank, and he called me a liar. I struck him, too, and he shot me in the chest with a pistol, and the reply was: 'I did not have a pistol, and there was nothing in my pocket.' Conway then made another statement made by Torrence in the presence of the Chief of Police, and which was allowed by the coroner, was made to Conway before the shooting. This statement, exactly quoted, is:

"I told Jim Conway if he would give me my money and jewelry, he might have the woman."

"On the conclusion of the statement Torrence is said to have grown worse, and a doctor present wanted to take the officers to leave. The statement is considered all that is necessary, and that Torrence knew what was near is evidenced by a statement made to his younger brother at his bedside after the officers left, and which is also contained in the coroner's report. 'Do a good boy,' he said, 'I will not be with you all to-night.'"

It was the general opinion of the six jurors that a statement of causes could be passed before the verdict could be drawn, and as the case is set for trial in the Police Court to-morrow, it was thought best to complete the coroner's inquest as soon as possible, although Dr. Taylor, who was such unusual cases, is averse to carrying out his official business on the day of the funeral. Torrence will be buried this afternoon.

Witnesses Before Coroner.

Dr. Booker Lee, who was first called by Coroner Taylor, stated that he was present at the operation and that death had been due to perforitis, caused by the effects of the bullet. His statement was that the lower wall of the stomach had been grazed, but that the intestines, as far as was observed, had not been perforated. The bullet was not recovered.

Robert Walte, of 405 West Main Street, was called, but his evidence was not material, as he had not seen the shooting. He saw the smoking revolver in Conway's hands and followed Torrence across the street.

W. L. Tyndall had taken supper in a cafe next door to the saloon at 705 East Broad Street, and had not as far as Seventh Street, when he returned for a newspaper. He was within three feet of the men when attracted by the report of a revolver. He previously saw Torrence raise his arm, but could not say whether the motion was in delivering or warding off a blow. He saw Conway dodge. He testified that Conway walked into the saloon and came back into the street with the revolver still in his hand.

The most precise statement was given by Ollie Brothers, who seems to have been in the vicinity to the actual shooting. He did not see Torrence strike Conway. His statement

## DON'T HAVE TO "SING FOR SUPPER"

President Spends Lazy Day at  
Brother's Ranch—Neighbors  
Bring Weird Gifts.

GREGORY, TEXAS, October 19.—President Taft began his three days of doing as he pleased on his brother's ranch to-day by playing eighteen holes of golf this morning over a muddy course and by "just loafing" through the long afternoon and evening. Mr. Taft was as happy as a boy out of school. The idea of eating a dinner without having to speak for it, and of going the living day without having to bow and shake hands and smile, appealed to him strongly. He declared he wished that his whole far niente vacation could last a week and three days instead of just the latter period.

While the President was going and reeling the members of his party enjoyed themselves in various ways. Secretary of War Dickenson and Captain Archie Butt were up before the sun and out on an all-day duck shooting expedition at the fresh water tanks on the ranch, ten miles away from their house. "La Quinta" is a veritable palace set on the shores of Corpus Christi Bay, looking out over the Gulf of Mexico. They returned late this afternoon with a full bag, and denied the President's taunting insinuations that the birds had been presented to them.

To Swim Every Morning.

Others of the party took long horse-back rides and a swim in the bay. Beginning to-morrow, the President will probably go on in bathing each remaining morning of his stay, as both weather and water are warm.

Ranch hands to-day killed two wild cats, two wild boars and a raccoon, which they presented to the President to-night.

To-morrow morning the President will go, and in the afternoon he will have a ten-mile run to the Rincon section of the ranch to see a small roundup of cattle and sheep and some exhibitions of cow-punching. He will use a big and comfortable saddle made especially for him.

To-night an opossum which was caught in a church at Annapolis was brought to the President by Tom Martin was given to the President.

The President's play days will end Friday morning, when he will be taken to the house of the executive council by the guest of that city during the day and to address the convention of the Inland Waterways Association.

First Carnegie Beneficiary.

SPARTANBURG, S. C., October 19.—Dr. James H. Carlisle, president emeritus of the Carnegie Foundation, is here. Dr. Carlisle was elected president of the college in 1875, and is the only survivor of the signers of the original charter. He was the first Carnegie Foundation.

WASHINGTON, D. C., October 19.—Resolutions fiercely denouncing the "murder" of Francisco Ferrer, the Spanish revolutionist, who recently was condemned by court-martial and shot in Barcelona, were adopted to-day by the American Federation of Labor.

"We on our personal behalf as well as on behalf of the American people," the resolutions declare, "express our intense indignation, horror and our strongest protest against the murder of Francisco Ferrer by direction of the Spanish government."

When in connection with the action of the Supreme Court of the District of Columbia in sentencing President Comper, Secretary Morris and John Mitchell to terms in jail for contempt of court, the concluding paragraph of the resolution is locked upon here as significant.

The resolutions declare that "we take this occasion to express our belief that the cause of free speech, free press and free education has found in Ferrer another martyr, the more resolute of having replaced the tortures and brutality of medievalism by toleration and freedom and enlightenment."

The belief then is expressed that Prof. Ferrer will take rank with all those who have made the greatest service for humanity.

"A noble company of martyrs and a cause in which we must continue," said the resolutions. "Like Jefferson, Washington and Lincoln of our country, he has been persecuted and suffered that the people might have wisdom and be worthy of freedom."

## VETERAN KILLED BY GAS IN HOTEL

Bell Boy Finds Body of  
Martin Gates in Room  
at Murphy's.

PARTLY CLAD IN  
BLUE UNIFORM

Identified by Cousin Who Had  
Not Seen Him Since Civil War,  
Inquest Unnecessary, Theory  
Being That He Blew Out  
Gas Through  
Ignorance.

PARTLY clad in the uniform of a Federal veteran of the Civil War, Martin Gates, of Hopewell, Pa., formerly a member of the Seventy-sixth Regiment, Pennsylvania Veteran Volunteer Association, was found dead in room 73, in Murphy's Hotel, at 2:30 o'clock yesterday afternoon. Death was due to asphyxiation. The body was discovered by Percy Davis, a bellboy, who was summoned to the third floor by a maid, who could not force an entrance to the room.

Strangely, no scent of gas was noticeable in the hall, but this is due to the fact that the only window, as well as the transom above the door, was closed. Mr. Gates, who was sixty-seven or sixty-eight years old, arrived here late Monday night. There was nothing to indicate a purpose to commit suicide, and Coroner Taylor, without an inquest, allowed the remains to be turned over to Undertaker Kahn.

Came to Meet Cousin.

But for his untimely death, Mr. Gates would have met yesterday his cousin, C. M. Gates, of Altoona, Pa., whom he served in the war. The men had not met since, and had arranged their visits to Richmond and the battlefield at Cold Harbor for the day of the sixties. C. M. Gates was able, even though time had made many changes in the appearance of his kinsman, to positively identify the body.

James Disney, manager of the hotel, telegraphed the postmaster at Hopewell, asking information about the dead man, and until some message received the body was kept here.

The cousin has taken charge of the personal effects, and \$35.10, contained in a pocket-book, was entrusted to his care. Martin Gates was a countryman, and did not live in the town of Hopewell.

After entering his room, the dimensions of which were twenty by ten feet, with an eleven-foot bed, the visitor placed his blue, brass-buttoned coat on the head of the bed and removed his shoes. He was lying on his back when Davis found him. There was an oil lamp burning, and the door had been opened, and last night at 7 o'clock it was unpleasant to remain in the room more than a few seconds at a time.

Believe He Blew Out Gas.

Dr. Labenbury was summoned as soon as the hotel office had been notified, but at first sight knew that nothing could be done. His idea is that the gas came from a can of gas, which was in the room, and that the only theory is that the victim blew out the gas, not in ignorance of the danger, but through absent-mindedness, as he has been accustomed to oil lamps.

Mr. Gates enlisted with the Seventy-sixth Pennsylvania Regiment August 24, 1861, and fought through the war as a private, conducting himself with distinction. According to Captain John McVeen, under whom he fought for more than two years, he was one of the bravest and most faithful men in the company. Captain McVeen, though he could say nothing as to his life after the company was mustered out, could not have been higher in his praise of him as a soldier.

Though this occurrence will in no way change the plans of the soldiers as to the celebration at Cold Harbor to-day, it has cast a gloom over the veterans. Until something is heard from Mr. Gates' home, the night of the celebration will be made for the funeral. It is probable, though, that an escort of his old comrades will accompany the body to Pennsylvania.

A telegram was received from Mr. Gates' son in Hopewell last night, and the body will be shipped to Pennsylvania this morning at 6:30 o'clock.

## BATONYI VERDICT ANNOUNCED TO-DAY

Sealed Verdict to Be  
Read by Justice  
This Morning.

HORSEMAN USES  
UGLY LANGUAGE

Brands Wife's Statements as Lies  
and Is Admonished by Court.  
Declares That He Twice  
Changed His Name.  
Says Works Did  
the Same.

NEW YORK, October 19.—A jury in the Supreme Court decided to-night whether the second matrimonial venture of Frank Works's daughter, Francis Works Burke-Roche-Batonyi, and the second venture of her second husband, by the way, is to be called off, but the decision will not be known until to-morrow morning, when a sealed verdict will be opened before Justice O'Gorman.

Aurel Batonyi, a native of Austria, and a former professional whip and horseman, took the stand himself this afternoon to deny his wife's charges of improper conduct with two women. After a great deal of family history had been aired, counsel for both sides summed up, and the court told the jurors that if they accepted the denial by Batonyi that he knew or had visited an apartment house in Central Park, West, or had taken a taxi cab ride with Beatrice Bravine, an actress, they must bring in a verdict in his favor. If, on the other hand, they did not accept the denial, there yet remained to them the duty of determining from the evidence of the several witnesses whether the plaintiff or not a statutory offense had been committed.

When the jury came in court after three hours' deliberation, it was announced that the questions as propounded by the court had been decided upon. They were therefore sent home for the night, with instructions to report in the morning.

Says Wife Lied.

This, the last day of the trial, was marked at the opening with more testimony by witnesses for Mrs. Batonyi to prove that the Austrian whip had been unfaithful to her. This was followed by emphatic testimony of the defendant, immaculately dressed, and with his mustache carefully waxed, who spoke so heatedly and with such force that he was admonished by the court. He denied his wife's allegations in toto, branded them as lies, said he was hounded by detectives, and accused his wife's relatives and friends of plotting to ruin his affairs. In connection with which he has a suit for damages pending.

Mrs. Batonyi was in court all day, but no sign of recognition passed between her and the maid she is suing for absolute divorce. Batonyi in previous proceedings won his suit for separation, and they have been living apart since.

Cross-examination of the defendant by Mrs. Batonyi's lawyer brought out some new sidelights on the case to-day.

"What is your real name," he was asked.

"Aurel Batonyi."

"You have had another name?"

"Two other names," responded the defendant.

"What were they?"

"Kohn and Kramersberg," he replied. "I changed my name just as I worked for the Hubbard family, which was originally Worth when they were called."

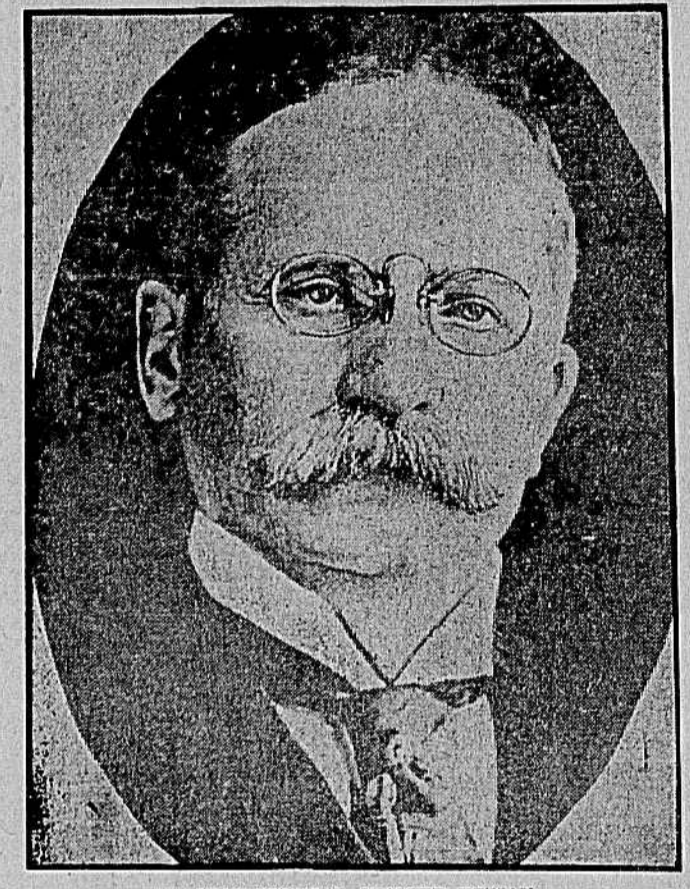
Mrs. Batonyi concluded her case with the testimony of Annie Nelson, who is said to have been the maid of Mrs. Henry Lawrence, or "Margaret Allen," one of the two correspondents named in the suit.

Mrs. Lawrence's deposition positively denied that Batonyi made the night visit to her apartments here alleged by the plaintiff.

Can't Go to Italy.

YALTA, RUSSIA, October 19.—Emperor Nicholas sailed from here to-day on board the Russian Imperial yacht Standart on the route for Italy.

## WHIP YELLOW FEVER, TRYING NOW TO DRIVE OUT TYPHOID



SURGEON-GENERAL WALTER WYMAN.

## HIGH SPECULATION IN MARKET STALLS

Atkinson Rented From City, Selling Quickly to  
Other People Later at 150 Per Cent. Profit.  
Forced to Surrender; City Gains on Deal.

Acting on information that market stalls were being sublet contrary to city ordinances at prices exceeding those charged by the city to the original contractors, the Subcommittee on the Second Market, having first received an opinion from the City Attorney, had before it last night H. B. Atkinson, charged with renting from the city stalls Nos. 35 and 36 at the rate of \$8 per month and subletting them to M. D. Wade and C. A. Weston for \$20 each, a profit of 150 per cent. At the suggestion of the City Attorney, who was present at the meeting, it was ordered that the stalls be transferred to the city and rented to Weston and Wade at \$15 per month, provided they take them at that price. The renters readily agreed, as it was \$5 per month less than they had paid Atkinson.

In this connection, Chairman Don Leavy called attention to a fact he had often mentioned before, that the stalls were assessed at entirely too low a price.

(Continued on Page Two—Column 4)

## "GET MARRIED OR GET BURIED"

Bridegroom Declares That Bride's  
Father Courted Him With  
Shotgun.

NEW YORK, October 19.—Albert Morgan Hunt of Union Course, La., has begun an action before Justice Garretson in the Supreme Court for the annulment of his marriage to Miss Bettie Hubbard of Crowe, Dinwiddie county, Va.

In his testimony Hunt told the court that he was born in Union Course, and moved with his family to Crowe, where he met the Hubbard family. On the night of April 16, 1908, he testified, he was invited to a gathering at the Hubbard home, and when he got there was met by Miss Hubbard's father, shotgun in hand.

He was told, he testified, there was to be a wedding in the house that night. He was next informed that he had been selected as the bridegroom, and as he demurred, he was informed that he was to be married or get buried, so he and Miss Hubbard stood up and were made one by a minister.

Justice Garretson reserved his decision.

## AN OYSTER "STEW"

Judge, Lawyer and Greek, Waters Mix in Helene Restaurant.

ROANOKE, VA., October 19.—An occurrence in a Greek restaurant to-day would probably have resulted in a riot had it been at night.

Judge Breckenridge, of Fincastle, and Daniel Breckenridge, a prominent lawyer, went into the restaurant and ordered an oyster stew. The stew was the cause of the fracas, the waiter to bring another and he would pay for both. John Calas, the Greek proprietor, ordered Judge and Daniel Breckenridge out of the place, whereupon the judge, the lawyer and the two hash-slingers clinched and went to the floor along with the rejected oyster stew.

Attracted by the noise of the fray, the police rushed in and arrested Greeks and Americans. In the Police Court Calas was fined \$30, the waiter \$10 and the Breckenridges were dismissed.

CROSSTIES ON TRACK.

Passenger Train on Southern Has Marvelous Escape From Being Wrecked.

Mexican and Cuban Ex-  
perts Report Scourge  
Under Control.

## SLAUGHTER OF BABIES TO CEASE

American Public Health Association Grappling With Problems, Aim Being to Prevent Disease and Lower Death Rate—Wyman Commends Mexico.

REPORTS from Mexico, Cuba and the South that yellow fever had been conquered; from New England and Canada that the war on tuberculosis was being waged vigorously; and from Virginia and the Middle States that typhoid fever was being controlled and malaria reduced, were made to the thirty-seventh annual session of the American Public Health Association, which opened in the auditorium of the Jefferson Hotel yesterday morning.

While new diseases were reported, demanding the best thought of sanitary experts, it was a relief to find that the scourge had been whipped; that smallpox was no longer a scourge, and that there was no foothold in America for the plague. A discouraging note was the continued slaughter of thousands of babies through ignorance and neglect, the health officers declaring that the great mortality of young children was preventable, and was due to the inattention and carelessness of those who knew better.

New Forward Movement.

The visitors were last night formally welcomed to the city by Mayor Richmond and greeted on behalf of the medical fraternity of Virginia by Dr. George Ross. President Swartz, in his annual address, after congratulating the members of the program that had been made, called for a new forward movement on the preventable diseases not yet conquered; for the prompt extermination of parasites and leprosy, showing that heads in various parts of this country, and for a concerted movement against the ignorance and negligence which annually pile up a death toll of thousands in cities which should startle the civilized world, had not the world come to regard it as an inevitable toll instead of a preventable tax on human life.

On the platform when President Swartz presented his annual address there were assembled the past presidents of the organization, men of scientific attainment and high character, who have seen the sanitation rise from a public estimation from an obscure and belittled fact to a popular uprising which the politician dares not ignore.

Many Officials Present.

With these former presidents were Surgeon-General Walter Wyman of the United States Public Health and Marine Hospital Service, himself a past president; Surgeon-General Sternberg, United States Army, retired; Dr. Peter H. Bryce, Medical Officer of the Indian Affairs of the Dominion of Canada; Dr. Frederick Montambert, Director-General of Public Health of the Dominion of Canada; Dr. Carlos Orvananos, of Mexico City, a member of the Superior Board of Health of the Republic of Mexico, and Dr. A. Tarraibas, director of Public Health of Havana, Cuba. On the platform and in the audience were the men who for thirty years have waged war on yellow fever, malaria, and have driven the plague from the shores of this country; have made smallpox a rarity, lessened the terrors of diphtheria, waged relentless and successful warfare on typhoid and cholera, and have saved thousands of lives.

There were men there who have the courage to face the white plague of tuberculosis, and who already see a lower death rate and a means for checking its spread, young men who have specialized themselves to follow the hook worm to its death; to rid the country of pellagra and leprosy; wise men ready to teach America how to reduce its yearly slaughter of babies through ignorance and neglect; men to whom pestilence no longer seems disheartening, and who in the brief space of a generation see the fruit of their labors in a victory almost accomplished.

Thirty Years Ago.

It was told last night that thirty years ago the association was in Richmond in the shadow of an epidemic of yellow fever, which had swept through the Southern States, carrying off men and women by the thousands; that the association had then no remedy for the disease, and no plan of prevention. Again it meets in Richmond, and the leading scientists of the convention pay their tribute to the aggressive young leaders of the State Department of Health, who has already accomplished much, and declare that the members of the association have come to Richmond to see the things of which they have heard, and that in the results wrought in this city in a brief space they are not disappointed.

Both Cuban and American speakers paid tribute to a noble Virginian—Walter A. Reed—who as a surgeon of the United States Army, demonstrated the mosquito theory in the spread of yellow fever, and who gave his life to his science, falling a victim to the disease his experiments have since proved to curb.

President Swartz's address was an able appeal for the education of all the people in the science of health, the knowledge of practical sanitation, the knowledge of the work of the health officers, rather than the keeping of the knowledge they have gained as a mystery profound, to be discussed only in unintelligible terms in technical papers at annual conventions, and in scientific journals.

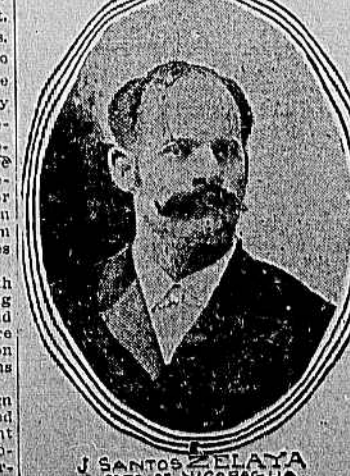
It is not the scientist of the literate age alone whom we are seeking to interest in our sanitary campaign," was the conclusion presented by the president. "It is the people, and the

## ZELAYA IS HARD PRESSED

BLUEFIELDS, NICARAGUA, October 19.—General Estrada, the rebel leader, who has proclaimed himself provisional president of Nicaragua, returned to this city to-day, after having established outposts to the north of Rama and sent a detachment of 500 of his best men to meet the expected approach of the government forces. Estrada claims that he can hold Rama against 10,000 besiegers, and it is believed here that if the interior is lost to President Zelaya that he will never be able to regain the Atlantic coast, now in the possession of the rebels. President Zelaya's army is reported to be moving toward the interior from the western coast, but to be impeded by heavy rain. The telegraph lines between Bluefields and Managua, the capital, have been down since they were cut on October 13. The rebel movement is a serious one, despite the tenor of official dispatches emanating from Managua. Schooners arriving from the south to-day brought 10,000 rifles for the insurgents.

Recruiting has been going on with great success, many thousands along the Atlantic coast flocking to the aid of General Estrada. Yessela left here to-day on the return trip to Limon for more exiles. Only a lack of arms prevents an advance.

Lopez y Martinez, a prominent arm of Bluefields, who have been enticed by concessions received from President Zelaya, have been seized by the revolutionists. General Lopez, who was formerly governor of Bluefields, has been



J. SANTOS ZELAYA  
PRESIDENT OF NICARAGUA

## Ten Inches of Rain Within 24 Hours

SAN MARCOS, TEX., October 19.—A cloudburst struck this city to-day, causing a heavy property loss. Over ten inches of rain has fallen within the past twenty-four hours. A loss of \$50,000 was sustained, when 1500 bales of cotton were washed from a platform into the San Marcos River. Many houses in the town have been flooded, but no loss of life has been reported.

(Continued on Page Two—Column 4)